

Maryland

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

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William Donald Schaefer, Governor
J. Randall Evans, Secretary

BOARD OF APPEALS

Thomas W. Keech, Chairman
Hazel A. Warnick, Associate Member

— DECISION —

	Decision No.:	1120-BR-88	
	Date:	Dec. 1, 1988	
Claimant:	Larry B. Millner	Appeal No.:	8809053
		S. S. No.:	
Employer:	Personnel Industries, Inc.	L. O. No.:	45
		Appellant	CLAIMANT

Issue: Whether the claimant's unemployment was due to leaving work voluntarily, without good cause, within the meaning of Section 6(a) of the law and whether the claimant was available for work within the meaning of Section 4(c) of the law.

— NOTICE OF RIGHT OF APPEAL TO COURT —

YOU MAY FILE AN APPEAL FROM THIS DECISION IN ACCORDANCE WITH THE LAWS OF MARYLAND. THE APPEAL MAY BE TAKEN IN PERSON OR THROUGH AN ATTORNEY IN THE CIRCUIT COURT OF BALTIMORE CITY, IF YOU RESIDE IN BALTIMORE CITY, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON December 31, 1988

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

REVIEW ON THE RECORD

Upon review of the record in this case, the Board of Appeals affirms the decision of the Hearing Examiner with regard to Section 6(a) of the law but reverses with regard to Section 4(c) of the law.

The claimant's testimony, un rebutted and accepted as fact by the Hearing Examiner is that he was seeking full time permanent employment. His failure to seek part time work, even after having worked for a temporary agency does not disqualify him under Section 4(c) of the law. The Board has repeatedly held that a claimant who once works for a temporary agency is not forever bound to seek temporary or part time work in order to be eligible for unemployment insurance benefits. To rule otherwise would penalize those claimants who make an extra effort to work by seeking assignments at temporary agencies.

DECISION

The claimant left work voluntarily, but with good cause, within the meaning of Section 6(a) of the Maryland Unemployment Insurance Law. No disqualification is imposed based on his separation from employment with Personnel Industries Inc. The claimant may contact the local office concerning the other eligibility requirements of the law.

The decision of the Hearing Examiner with respect to Section 6(a) is affirmed.

The claimant is available for work within the meaning of Section 4(c) of the Maryland Unemployment Insurance Law. No disqualification is imposed under this section of the law.

The decision of the Hearing Examiner with respect to Section 4(c) is reversed.


Associate Member


Associate Member

H:D

kmb

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CLAIMANT

EMPLOYER

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